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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,557	06/21/2000	Jeffrey G. Bingham	10001261-1	6684

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EXAMINER

WALLERSON, MARK E

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/598,557

Applicant(s)

BINGHAM ET AL.

Examiner

Mark E. Wallerson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-13, 15-18 and 20-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 33-39 is/are allowed.
- 6) ☐ Claim(s) 1-13, 15-18, 20-23, 31 and 32 is/are rejected.
- 7) ☐ Claim(s) 24-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on **11/15/04**.
2. This application has been reconsidered. Claims 1-13, 15-18, and 20-39 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 16, 17, 18, 20, 31, 32, are rejected under 35 U.S.C. 103(a) as being unpatentable over Conrad et al (Conrad) (U.S. 5,599,120).

With respect to claims 1, 4, 5, 6, 7, 8, 9, 11, 15, 16, 17, 18, Conrad discloses a printer (10) comprising a media tray (figure 1) with a media support surface (figure 1 and column 3, lines 32-41) and a media edge registration surface (inherent in the printer, and which may read on the paper feed mechanism. *The edge of the media would abut an object (maybe rollers) prior to being pulled toward the print head*), a removable media holder (50) having a lower portion contacting the media support surface (figure 2); and the holder defining a media receptacle above the lower portion (figure 2), and having a lateral opening facing the registration surface (figure 4 depicts that the media holding portion of the adapter (50) has an opening through which the media passes, the opening being configured to permit the media in the receptacle to pass through the opening (figure 4 and column 3, lines 32-50).

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Conrad does not specifically disclose that the media in the receptacle passes through the opening into contact with the registration surface. However the adapter has an opening at the rear through which the print media (the printing tape) passes. One of ordinary skill in the art would easily recognize that the same edge registration surface may be used for both the pages fed from the support tray and the print tape fed from the adapter. It would be obvious to one of ordinary skill in the art at the time of the invention to use an edge registration surface for each type of media in order to simplify the construction of the printer.

With regard to claim 2, Conrad disclose the media tray is sized to receive conventional letter size media (column 2, lines 62-67).

With respect to claim 3, Conrad discloses wherein the media tray when fully inserted into the printer for printing operations, has a first portion contained in a printer body, and a second portion extending from the printer body (figure 2), wherein the media receptacle is largely received in the first portion, wherein the holder has a handle extending from the receptacle and occupying the second portion of the tray (figure 2).

With regard to claim 12, Conrad discloses the holder is smaller than the media tray (figure 2).

With respect to claim 13, Conrad discloses the holder includes an elongated registration element extending parallel to the registration surface of the tray (which reads on parts 54 and 56).

With respect to claim 20, Conrad discloses positioning the holder in the media tray (column 3, lines 32-51).

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With regard to claims 31, 32, , Conrad discloses the printer forms an aperture into which the tray is inserted (figure 2) and the holder (50) is configured to be moved from a fully inserted to a completely removed position while the tray is inserted in the printer (column 3, lines 32-50)

5. Claims 10, 21, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conrad in view of Parks (U.S. 5,188,353).

With respect to claims 10, 21, 22 and 23, Conrad differs from claims 10, 21, 22, and 23 in that he does not clearly disclose the holder includes a clamp for engaging and securing the media in the holder. Parks discloses a clamping device (78) that is used for securing media in a tray (figure 7), the clamp being movable between a clamped and unclamped position (figure 8 and column 12, lines 3-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized the clamp of Parks in the holder of Conrad in order to secure the print media.

Allowable Subject Matter

6. Claims 33-39 are allowed.

7. Claims 24-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1-13, 15-18, and 20-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

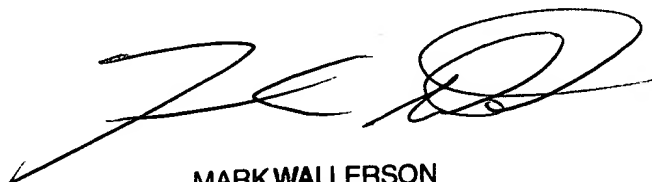
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (571) 272-7470. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
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A handwritten signature in black ink, appearing to read 'Mark E. Wallerson', with a stylized, cursive script.

MARK WALLERSON
PRIMARY EXAMINER